

EXHIBIT 9

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

WOLVERINE WORLD WIDE, INC.,)	
)	
<i>Plaintiff,</i>)	Case No. 1:19-cv-00010-JTN-ESC
)	
v.)	Honorable Janet T. Neff
)	
THE AMERICAN INSURANCE COMPANY,)	Mag. Judge Ellen S. Carmody
et al.,)	Special Master Paula Manderfield
)	
<i>Defendants.</i>)	

AFFIDAVIT OF NON-SERVICE

I, Kim O'Brien, make the following affidavit pursuant to 28 U.S.C. § 1746:

1. I am over the age of 18 years old and not a party to this action *Wolverine World Wide, Inc. v. The American Insurance Company, et al.*, W.D. Mich. no. 1:19-cv-00010-JTN-ESC. I am a resident of the state of Michigan. I am qualified in all respects to make this Affidavit.

2. I have personal knowledge of the matters stated herein, and if I am called upon to do so, can testify as to these matters.

3. I am a process server affiliated with One Source Process, LLC.

4. I am and was at all relevant times authorized by law to make service of documents within the state of Michigan.

5. I have made repeat unsuccessful attempts to serve subpoenas for deposition on Cheryl Oliver ("Oliver") at 6910 Wildwood Ct., Fruitport, Michigan 49415 ("6910 Wildwood Ct."), which subpoenas were issued by First State Insurance Company ("First State"). The unsuccessful service attempts are discussed below. All times referenced are Eastern Time.

6. One Source Process, LLC performed a skip trace that shows that 6910 Wildwood Ct. has been Oliver's address since the year 2000.

The First Subpoena to Oliver

7. A true and correct copy of the first subpocna for deposition that I attempted to serve on Oliver, issued by First State on October 19, 2022, is attached hereto as Exhibit A.

8. I made an initial attempt to serve a subpoena on Oliver at 6910 Wildwood Ct. on Saturday, October 22, 2022, at 2:52pm, but there was no answer at the door. Ex. A, 1st

Subpoena to Oliver. I left my business card.

9. I made a second attempt to serve a subpoena on Oliver on Monday, October 24, 2022 at 5:30pm, again at 6910 Wildwood Ct. Ex. A, 1st Subpoena to Oliver. There was no answer or movement inside the residence. My card was still on the front door from the prior service attempt and there were no cars in the driveway.

10. I made a third attempt to serve a subpoena on Oliver on Tuesday, October 25, 2022 at 8:00am, again at 6910 Wildwood Ct. Ex. A, 1st Subpoena to Oliver. There was no answer or movement inside the house. My card was still on the front door from the prior service attempt and there were no cars in the driveway.

The Second Subpoena to Oliver

11. A true and correct copy of the second subpoena for deposition that I attempted to serve on Oliver, issued by First State on November 29, 2022, is attached hereto as Exhibit B.

12. I attempted to serve the second subpoena on Oliver on Wednesday, December 14, 2022 at 5:31pm at 6910 Wildwood Ct., but there was no answer. Ex. B, 2nd Subpoena to Oliver.

13. I again attempted to serve the second subpoena on Oliver on Saturday, December 17, 2022 at 8:44am at 6910 Wildwood Ct. Ex. B, 2nd Subpoena to Oliver. At that time, I spoke with a white female in her 50s, who stated that her name was Lynn and that Cheryl was gone until after the holidays.

14. I again attempted service of the second subpoena on Oliver on Monday, December 19, 2022 at 12:49pm at 6910 Wildwood Ct., but there was no answer. Ex. B, 2nd Subpoena to Oliver.

The Third Subpoena to Oliver

15. A true and correct copy of the third subpoena for deposition that I attempted to serve on Oliver, issued by First State on March 21, 2023, is attached hereto as Exhibit C.

16. I attempted to serve the third subpoena on Oliver on Thursday, March 30, 2023 at 6:33pm at 6910 Wildwood Ct. Ex. C, 3rd Subpoena to Oliver. There was no answer. I left my business card.

17. I again attempted to serve the third subpoena on Oliver on Saturday, April 1, 2023 at 2:39pm at 6910 Wildwood Ct. Ex. C, 3rd Subpoena to Oliver. There was no answer. My card was still on the door from the March 30, 2023 service attempt.

18. I again attempted to serve the third subpoena on Oliver on Thursday, April 6, 2023 at 9:19am at 6910 Wildwood Ct. Ex. C, 3rd Subpoena to Oliver. There was no response. A trash can was out. The business card that I had left on March 30, 2023 was no longer there. I left another business card.

19. I again attempted to serve the third subpoena on Oliver on Tuesday, April 11, 2023 at 5:40pm at 6910 Wildwood Ct. Ex. C, 3rd Subpoena to Oliver. The trash can was still out. My card from the April 6, 2023 service attempt was still present. I spoke to a neighbor at 6904 Wildwood Court (a Caucasian female in her 40s), who stated that Oliver lives at the service address of 6910 Wildwood Ct. but is often in and out.

The Fourth Subpoena to Oliver

20. A true and correct copy of the fourth subpoena for deposition that I attempted to serve on Oliver, issued by First State on May 1, 2023, is attached hereto as Exhibit D.

21. I attempted to serve the fourth subpoena on Oliver on Monday, May 8, 2023 at 4:55pm at 6910 Wildwood Ct. Ex. D, 4th Subpoena to Oliver. There was no answer. I left my business card.

22. I again attempted to serve the fourth subpoena on Oliver on Wednesday, May 10, 2023 at 7:57am at 6910 Wildwood Ct. Ex. D, 4th Subpoena to Oliver. There was no answer. I left my business card.

23. I again attempted to serve the fourth subpoena on Oliver on Thursday, May 11, 2023 at 11:10am at 6910 Wildwood Ct. Ex. D, 4th Subpoena to Oliver. There was no answer. My business card from a prior service attempt was still on the door. A dog was in the house.

24. I again attempted to serve the fourth subpoena on Oliver on Saturday, May 13, 2023 at 11:42am at 6910 Wildwood Ct. Ex. D, 4th Subpoena to Oliver. There was no answer. I left my business card.

25. Oliver has not contacted me by phone at any time.

26. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14th day of August 2023.


KIM O'BRIEN